



93
B1IFw

Docket No.: 056937-0047

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Customer Number: 20277
Toshio Inaji : Confirmation Number: 7536
Application No.: 10/079,850 : Group Art Unit: 2627
Filed: February 22, 2002 : Allowed: November 16, 2006
For: DISK STORAGE APPARATUS : Examiner: Glenda Rodriguez

**LETTER UNDER 37 CFR 1.312 RESPONDING TO EXAMINER'S REASONS
FOR ALLOWANCE**

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Notice of Allowance/Allowability mailed on November 16, 2006 is acknowledged and appreciated. In the Reasons for Allowance, the Examiner groups claims 1 and 4, and, claims 10 and 13, and, claims 16 and 19, when describing the combination of limitations not found in the cited prior art. It is noted, however, that the Examiner improperly grouped these claims as reciting identical limitations.

As one example, contrary to the Examiner's implicit reference, claim 4 does not recite a "disturbance torque estimation section for estimating the magnitude of a disturbance exerted on said head from the voltage signal by said voltage detection section *and a drive signal from said drive section.*" Rather, claim 4 recites a "disturbance torque estimation section for estimating the magnitude of a disturbance exerted on said head from the voltage signal by said voltage detection section *and the position control*

information by said position control section.” Similar inaccuracies are found in the Examiner’s reference to claims 13 and 19.

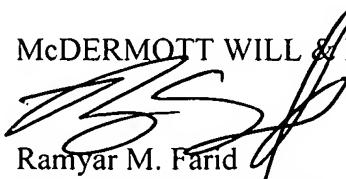
Though the respective claims recite similar features, they are not the same and therefore should not be grouped together in relation to the same combination of limitations as set forth in the Examiner’s Reasons for Allowance. It is respectfully submitted that each of the allowed claims should be read individually, and interpreted based solely on the limitations expressly recited therein without importing limitations from other claims.

In this regard, it appears the Examiner’s grouping of claims was an attempt to simplify the Reasons for Allowance where there was some common features among the claims, whereby the Examiner inadvertently overlooked the differences between the respective claims.

No extension of time is deemed necessary. Nonetheless, to the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP


Ramiyar M. Farid
Registration No. 40,692

Please recognize our Customer No. 20277
as our correspondence address.

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000 RMF:MWE
Facsimile: 202.756.8087
Date: December 19, 2006